

Effective December 13, 2002

**ORDINANCE NO. 9513 (NEW SERIES)
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY
THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND
MEASURES FOR VARIOUS SERVICES AND PROGRAMS**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the Department of Agriculture, Weights and Measures' cost of doing business has increased since Fiscal Year 1991-92 when the hourly rate was established that serves as the basis for many of the Department's current fees. The Board further finds that the Department's costs have increased since Fiscal Year 1998-99 when fees for phytosanitary certificates were restructured and direct marketing certificate fees were increased. The Board also finds and determines that it is necessary to adopt new fees to fund new programs and some existing programs. Accordingly, the Board of Supervisors finds and determines that it is necessary to adjust the fees charged by the Department to recover as much of the Department's costs as is feasible for the programs and services it provides. The Board further finds and determines that the new and adjusted fees do not exceed the reasonable costs of providing the affected programs and services.

Section 2. Section 176.5 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 176.5. FEES.

The Agricultural Commissioner shall charge and collect the fees prescribed in this Article for services performed by him/her.

Section 3. Section 176.7 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 176.7. FEE FOR COMPARING COPIES

For comparing with the original on file in the office of the Agricultural Commissioner, the copy of any paper, record or proceeding prepared by another and presented for his/her certificate, the fee is the same as the fee in Section 160.3 of this Code.

Section 4. Section 176.8 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 176.8. FEE FOR CERTIFYING COPIES

The fee for certifying a copy of any paper, record or proceeding in the office of the Agricultural Commissioner is the same as the fee in Section 160.4 of this Code.

Section 5. Section 176.10 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 176.10. FEES FOR COUNTY VETERINARIAN SERVICES

Fees shall be paid to the County Veterinarian for providing veterinary pathology and related services in accordance with the schedule in Section 364.3 of this Code.

Section 6. Section 364.3 is hereby added to the San Diego County Administrative Code to read as follows:

SEC. 364.3. FEES FOR THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES

The following fees shall be paid to the Department of Agriculture, Weights and Measures for the specified applications, permits, registrations, inspections and other related services:

FEES FOR THE DEPT. OF AGRICULTURE, WEIGHTS AND MEASURES

ACTIVITY	FEE AUTHORITY⁽¹⁾	FEE AMOUNT
Land Use Issues		
Verification of agriculture:	//////////	//////////
Application processing fee	CC Art.11 Sec.7	\$100/application
Follow-up site visit (portal to portal)	CC Art.11 Sec.7	\$60/hour
Agricultural Enterprise Registration	CC Art.11 Sec.7	\$15/enterprise/year
Stormwater	//////////	//////////
Registration Fee	CC Art.11 Sec.7	\$100/registration
Initial Inspection	CC Art.11 Sec.7	\$60/hour
Reinspection	CC Art.11 Sec.7	\$90/hour
Pest Management – Control		
Poison bait sales (rat, squirrel, and mouse bait)	CC Art.11 Sec.7	\$2/pound + State surcharge
Agricultural services of County Veterinarian:	//////////	//////////

ACTIVITY	FEE AUTHORITY ⁽¹⁾	FEE AMOUNT
Agriculture necropsy	CC Art.11 Sec.7	\$60
Disposal (Charge per barrel)	CC Art.11 Sec.7	\$50
Save body	CC Art.11 Sec.7	\$20
Agriculture histology	CC Art.11 Sec.7	\$20
Serology/Newcastle	CC Art.11 Sec.7	\$15
Other tests, agriculture	CC Art.11 Sec.7	\$25
Additional lab fee	CC Art.11 Sec.7	\$20
Pest Exclusion – Plant Quarantine		
Desert Native Plant Permit:	//////////	//////////
Yucca brevifolia (Joshua Tree)	F&A 80120	\$2/plant
All other native plants	F&A 80120	\$1/plant
Yucca schidigera	F&A 80120	\$3/plant
Certification of Plant Shipments for Quarantine Compliance:	//////////	//////////
Domestic Plant Shipment Certification	F&A 5202	\$30/certificate
International Plant Shipment Certification	F&A 5202	\$30/certificate
Counter Service Certification 10 plants by appointment or Certifications that require no inspection	F&A 5202	\$10/certificate
Specialized field inspections, including: Field growing season inspections Destination point inspections (sealed load) Customer requested certifications Witnessing quarantine treatments	F&A 6303 (d); CCR Title 3, 3160 (b)	\$60/hour
Weekend and holiday inspections (min. 1 hour)	F&A 5202	\$90/hour
Pesticide Use Enforcement		
Agricultural Pest Control Operator registration	F&A 11734	\$75/year
Ag. Pest Control Advisor Registration-SD Hqts.	F&A 12034	\$10/year
Agricultural Pest Control Advisor Registration- Out of County Headquarters	F&A 12034	\$ 5/year
Ag. Pest Control Pilot Registration-SD Hqts.	F&A 11923	\$10/year
Agricultural Pest Control Pilot Registration-Out of County Headquarters	F&A 11923	\$ 5/year
Maintenance Gardener registration	F&A 11734	\$25/year
Notice of Intent to Perform Structural Pest Control Work	F&A 15204	\$10/year
Certification of Farm Labor Contractors	LC 1695 (b)	\$75/year
Fruit & Vegetable Quality Control		
Certification of produce shipments	F&A 42793 (a) F&A 42796 (b)	\$60/hour with ½ hour minimum
Produce Certification Stamp Registration	F&A 42793 (a)	\$50/year
Out-of-State Transport Permit	F&A 42796 (b)	\$18.50/certificate
Certified Farmers' Market Certificate	F&A 47020	\$150/certificate

ACTIVITY	FEE AUTHORITY ⁽¹⁾	FEE AMOUNT
Certified Producers' Certificate	F&A 47020	\$35/certificate
Additional county listing on Certified Producers' Certificate	F&A 47020	\$5/certificate
Certified Producers Certificate Change or Addition 47020 sets \$60/hour max for certs and inspections; must show fees do not exceed that maximum per Mark Mead	F&A 47020	\$5/amended certificate + inspection rate
Certified Producers Inspection Rate	F&A 47020	\$60/hour
Certified Farmers' Market Inspection Rate	F&A 47020	\$60/hour with \$720 annual cap
Direct Marketing Travel Charge Note: Applies to inspections of both Certified Producers and Certified Farmers' Markets	F&A 47020	Zone 1 = \$20 Zone 2 = \$40 Zone 3 = \$60 Zone 4 = \$80 (see below for list of zip codes by zone)
Apiary Inspection		
Apiary registration 0-9 colonies	F&A 29044	\$0
Apiary registration 10 or more colonies	F&A 29044	\$10/year
Apiary certification (1/2 hour minimum)	F&A 29143	\$60/hour
Weights and Measures		
Standards calibration services	B&P 12210 (b)	\$60/hour
Annual device registration:	//////////	//////////
Submeters: <i>Utility meters owned by marinas, mobile home parks, recreational vehicle parks and apartment complexes</i>	B&P 12240 (g) CCRO 21.1706	\$60/complex + \$2 for each type of meter per space
Routine Devices: <i>Fabric meters, cordage meters, retail meters, retail water dispensers, computing scales, counter scales, portable platform scales (less than 1000 lbs.), dormant and platform scales (less than 1000 lbs.), prescription scales, jeweler scales, and hanging scales</i>	B&P 12240 (f)	Based on # of devices per single location: 1-3 devices = \$ 40 4-9 = \$ 80 10-19 = \$120 20-25 = \$160 Over 25 = \$200
Medium Capacity Devices: <i>Wholesale meters (stationary); crane scales, monorail and meat beam scales (less than 20,000 lbs.); dormant platform scales, hopper and tank scales, and animal scales (1,000 lbs. or greater, but less than 20,000 lbs. per hour of production)</i>	B&P 12240 (f)	Based on # of devices per single location: 1-3 devices = \$ 40 4-9 = \$ 80 10-19 = \$120 20-25 = \$160 Over 25 = \$200

ACTIVITY	FEE AUTHORITY ⁽¹⁾	FEE AMOUNT
Heavy Capacity Devices: <i>Greater than or equal to 20,000 pounds total capacity of device; crane scales, hopper and tank scales, dormant platform scales, railway and belt conveyer scales (20,000 lbs. or greater per hour of production)</i>	B&P 12240 (h)	\$200/device
Vehicle scales	B&P 12240 (i)	\$100/device
Livestock scales with capacity of 20,000 lbs. or more (1 to 3)	B&P 12240 (l)	1-3 devices =\$100 4 or more = \$100/device
Inspection/testing of non-commercial devices by request of owner/user:	//////////	//////////
Small capacity scales	B&P12210 (b)	\$63.50/hour + \$0.75/mi
Large capacity scales (10,000 to 40,000 GVW)	B&P12210 (b)	\$80/hour + \$1.25/mi
All scales exceeding 3,000 lbs. capacity (> 40,000 GVW)	B&P12210 (b)	\$125/hour + \$2.00/mi
Retail gasoline dispensers	B&P12210 (b)	\$60/hour
Wholesale petroleum meters	B&P12210 (b)	\$60/hour
Liquefied petroleum gas meters	B&P12210 (b)	\$60/hour
All other commercial devices	B&P12210 (b)	\$60/hour
Requested inspection of commercially-used devices:	//////////	//////////
Small capacity scales	B&P12210.5	Established by the CA Secretary of Agriculture. ⁽²⁾
Large capacity scales (10,000 to 40,000 GVW)	B&P12210.5	“
All scales exceeding 3,000 lbs. capacity (> 40,000 GVW)	B&P12210.5	“
Retail gasoline dispensers	B&P12210.5	“
Wholesale petroleum meters	B&P12210.5	“
Liquefied petroleum gas meters	B&P12210.5	“
All other commercial devices	B&P12210.5	“
Standby fee	B&P12210.5	“
Reinspection of weighmaster scale	B&P 12210.5	“
Lost certificate replacement	CCRO 21.1708	\$10
Reschedule fee	CCRO 21.1716	\$20
Point-of-Sale station (scanners) permit:	//////////	//////////
1-3 stations	CC Art.11 Sec.7	\$25/location
4-16 stations	CC Art.11 Sec.7	\$40/location
17-30 stations	CC Art.11 Sec.7	\$60/location
More than 30 stations	CC Art.11 Sec.7	\$75/location
Locations with existing registered commercial		

ACTIVITY	FEE AUTHORITY ⁽¹⁾	FEE AMOUNT
devices:		
1-3stations	CC Art.11 Sec.7	\$12/location
4-16 stations	CC Art.11 Sec.7	\$25/location
17-30 stations	CC Art.11 Sec.7	\$37/location
More than 30 stations	CC Art.11 Sec.7	\$50/location
Businesses using a point-of-sale station for commercial purposes in an establishment of 3,500 square feet or less of enclosed retail structure with commercial devices already validly registered with the County Sealer	CC Art.11 Sec.7	No fee
Re-inspection (portal to portal)	CC Art.11 Sec.7	\$60/hour + \$0.35/mile
Other		
Structural Pest Control Pesticide Exam	MOA FY02-03 With SPCB	\$15
Watershed Management	////////////////	////////////////
Hazardous Materials Inventory	H&S 25404.5	\$100/year
Veterinarian (Non Agricultural):	////////////////	////////////////
Non-agricultural necropsy	CC Art.11 Sec.7	\$75
Disposal (Charge per barrel)	CC Art.11 Sec.7	\$50
Save body	CC Art.11 Sec.7	\$20
Non-agricultural histology	CC Art.11 Sec.7	\$25
Public health tests	CC Art.11 Sec.7	\$20
Other tests, non-agriculture	CC Art.11 Sec.7	\$25
Wildlife Services Site Visits	CC Art.11 Sec.7	\$100/site visit

DIRECT MARKETING TRAVEL ZONE ZIP CODE DESIGNATIONS

ZONE 1	ZONE 1	ZONE 2	ZONE 3	ZONE 4
91902	92118	91901	91906	91905
91941	92119	91910	91916	91934
91942	92120	91911	91931	92004
91945	92121	91913	91948	92055
91950	92122	91914	91962	92066
91977	92123	91915	91963	92086
92014	92124	91917	91980	92259
92020	92126	91932	92003	92036 East ⁽³⁾
92037	92127	91935	92028	92536
92064	92128	91978	92036 West ⁽³⁾	92672
92067	92129	92007	92054	
92071	92130	92008	92055	
92075	92131	92009	92057	
92101	92133	92019	92059	
92102	92134	92020	92060	

92103	92135	92021	92061	
92104	92136	92024	92070	
92105	92139	92025	92082	
92106	92140	92026		
92107	92145	92027		
92108	92155	92029		
92109		92040		
92110		92056		
92111		92065		
92113		92069		
92114		92083		
92115		92084		
92116		92154		
92117		92173		

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- (1) B&P = Business and Professions Code of California
CAC = County of San Diego Administrative Code
CC = California Constitution
CCR = California Code of Regulations, Title 3
CCRO = County of San Diego Code of Regulatory Ordinances
CGC = California Government Code
F&A = California Food and Agricultural Code
H&S = California Health & Safety Code
LC = California Labor Code
SPCB = State Pesticide Control Board

(2) For current fee information contact the Department of Agriculture, Weights and Measures at (858) 694-2778 or by mail at 5555 Overland Avenue, Building 1, San Diego, CA 92123.

(3) Divided as follows: Sunrise Hwy from Zip Code Boundary 91948 to Hwy 79, Hwy 79 to Hwy 78, Hwy 78 to S-2, and S-2 to Zip Code Boundary 92086.

Section 7. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the _____, a newspaper of general circulation published in the County of San Diego.